



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0425

Introduced 1/26/2007, by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

225 ILCS 235/3.26

225 ILCS 235/3.28 new

225 ILCS 235/10.2

225 ILCS 235/10.3

from Ch. 111 1/2, par. 2210.2

Amends the Structural Pest Control Act. Makes changes to the definition of "school" and adds a definition of "designated person". Makes changes to a provision concerning economic feasibility of integrated pest management guidelines. Provides that the written notification provided to parents and guardians of students and employees who have registered to receive such notification prior to the application of pesticides to school or day care center property must be given at least 2 and no more than 30 (now, at least 2) business days before application of the pesticide. Makes other changes. Effective immediately.

LRB095 05357 RAS 25442 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Structural Pest Control Act is amended by
5 changing Sections 3.26, 10.2, and 10.3 and by adding Section
6 3.28 as follows:

7 (225 ILCS 235/3.26)

8 (Section scheduled to be repealed on January 1, 2008)

9 Sec. 3.26. "School" means any school district or structure
10 used as a public school that provides elementary or secondary
11 education for grades pre-school through grade 12 in this State.

12 (Source: P.A. 91-525, eff. 8-1-00.)

13 (225 ILCS 235/3.28 new)

14 (Section scheduled to be repealed on January 1, 2008)

15 Sec. 3.28. "Designated person" means a person designated by
16 a school or day care center to ensure that integrated pest
17 management practices are properly implemented.

18 (225 ILCS 235/10.2) (from Ch. 111 1/2, par. 2210.2)

19 (Section scheduled to be repealed on January 1, 2008)

20 Sec. 10.2. Integrated pest management guidelines;
21 notification; training of designated persons; inspections.

1 (a) The Department shall prepare guidelines for an
2 integrated pest management program for structural pest control
3 practices at school buildings and other school facilities and
4 day care centers. Such guidelines shall be made available to
5 schools, day care centers and the public upon request.

6 (b) When economically feasible, each school and day care
7 center is required to develop and implement ~~adopt~~ an integrated
8 pest management program that incorporates the guidelines
9 developed by the Department. Each school and day care center
10 must notify the Department annually on forms provided by the
11 Department that the school or day care center has developed and
12 is implementing an integrated pest management program ~~If~~
13 ~~adopting an integrated pest management program would not be~~
14 ~~economically feasible because it would result in an increase in~~
15 ~~the school's or day care center's pest control cost, the school~~
16 ~~district or day care center must provide written notification~~
17 ~~to the Department. The notification must include projected pest~~
18 ~~control costs for the term of the pest control program and~~
19 ~~projected costs for implementing integrated pest management~~
20 ~~for that same time period. The Department shall make this~~
21 ~~notification available to the general public upon request. In~~
22 implementing an integrated pest management program, a school or
23 day care center must assign a ~~employee should be~~ designated
24 person to assume responsibility for the oversight of pest
25 management practices in that school or day care center and for
26 recordkeeping requirements.

1 (b-3) If adopting an integrated pest management program is
2 not economically feasible because such adoption would result in
3 an increase in the pest control costs of the school or day care
4 center, the school or day care center must provide annual
5 written notification to the Department, on forms provided by
6 the Department, that the development and implementation of an
7 integrated pest management program is not economically
8 feasible. The notification must include projected pest control
9 costs for the term of the pest control program and projected
10 costs for implementing an integrated pest management program
11 for that same time period.

12 (b-5) Each school or day care center that provides written
13 notification to the Department that the adoption of an
14 integrated pest management program is not economically
15 feasible pursuant to subsection (b-3) of this Section must have
16 its designated person attend a training course on integrated
17 pest management within one year after the effective date of
18 this amendatory Act of the 95th General Assembly, and every 3
19 years thereafter until an integrated pest management program is
20 developed and implemented in the school or day care center. The
21 training course shall be approved by the Department in
22 accordance with the minimum standards established by the
23 Department under this Act.

24 (b-7) Each school and day care center shall ensure that all
25 parents, guardians, and employees are notified at least once
26 each school year that the notification requirements

1 established by this Section have been met. The school and day
2 care center shall keep copies of all notifications required by
3 this Section and any written integrated pest management program
4 plan developed in accordance with this Section and make these
5 copies available for public inspection at the school or day
6 care center.

7 (c) The Structural Pest Control Advisory Council shall
8 assist the Department in developing the guidelines for
9 integrated pest management programs. In developing the
10 guidelines, the Council shall consult with individuals
11 knowledgeable in the area of integrated pest management.

12 (d) The Department, with the assistance of the Cooperative
13 Extension Service and other relevant agencies, may prepare a
14 training program for school or day care center pest control
15 specialists.

16 (e) The Department may inspect schools and day care centers
17 during normal business hours to review integrated pest
18 management program plans and notifications required by this
19 Act, and to offer assistance and training to schools and day
20 care centers on integrated pest management practices.

21 (f) The requirements of this Section are subject to
22 appropriation to the Department for the implementation of
23 integrated pest management programs.

24 (Source: P.A. 93-381, eff. 7-1-04.)

1 (Section scheduled to be repealed on January 1, 2008)

2 Sec. 10.3. Notification before application of pesticides.
3 Schools ~~School districts~~ and day care centers must maintain a
4 registry of parents and guardians of students and employees who
5 have registered to receive written notification prior to
6 application of pesticides to school property or day care
7 centers or provide written notification to all parents and
8 guardians of students before such pesticide application.
9 Written notification may be included in newsletters,
10 bulletins, calendars, or other correspondence currently
11 published by the school ~~district~~ or day care center. The
12 written notification must (i) be given at least 2 and no more
13 than 30 business days before application of the pesticide, (ii)
14 ~~application and should~~ identify the intended date of the
15 application of the pesticide, and (iii) provide the name and
16 telephone contact number for the designated person of the
17 school or day care center ~~personnel responsible for the~~
18 ~~pesticide application program~~. Prior written notice shall not
19 be required if there is an imminent threat to health or
20 property. If such a situation arises, the appropriate school or
21 day care center personnel must sign a statement describing the
22 circumstances that gave rise to the health threat and ensure
23 that written notice is provided as soon as practicable. For
24 purposes of this Section, pesticides subject to notification
25 requirements shall not include (i) an antimicrobial agent, such
26 as disinfectant, sanitizer, or deodorizer, or (ii) insecticide

1 baits and rodenticide baits.

2 (Source: P.A. 93-381, eff. 7-1-04.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.